

Remarks

Applicant notes with appreciation the allowance of Claims 26-47 and 53-87. The foregoing amendments to dependent claims 27-29, 31, 33-35, 38, 41-43, 45 and 54-58 are submitted for consideration by the Examiner after the issuance of a Notice of Allowance in the above-identified application, under 37 CFR §1.312. The foregoing amendments to only dependent claims merely clarify the subject matter recited in these claims, and do not introduce any new matter. Many of the amendments were necessitated by the Examiner's Amendment that accompanied the Notice of Allowance.

In view of the foregoing amendments and remarks, this application should remain in condition for allowance. If the Examiner believes, after this amendment, that the application does not remain in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Gardner et al., Applicants

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): William J. Gardner, et al.
Serial No.: 09/483,653
Conf. No.: 8646
Filed: January 14, 2000
For: METHODS AND APPARATUS FOR PRODUCING ANIMAL
SOUNDS TO LURE ANIMALS
Examiner: Xu Mei
Group No.: 2644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16 day of January, 2004.


Full Signature of Signer

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

The Notice of Allowance mailed January 5, 2004, includes an Examiner's Statement of Reasons for Allowance (Page 8). The Reasons for Allowance states that "The prior art fails to specifically including (sic) means or method thereof for contemporaneously playing back the first and second pre-recorded animal sounds (distinct sounds made by a species of animal in an environment) to produce a combination of sounds (i.e., the combination of the pre-recorded first and the second distinct animal sounds) for luring the animal. The controller or means for contemporaneously playing back the recorded animal sound is in response to a first button and a second button of the (sic) being pressed contemporaneously, and wherein the first button is selected to represents (sic) the first pre-recorded animal sound and the second button is selected to represents (sic) the second pre-recorded animal sound."

While Applicant agrees that all of the allowed claims patentably distinguish over the prior art and that the prior art fails to include the combination of features listed in the above-

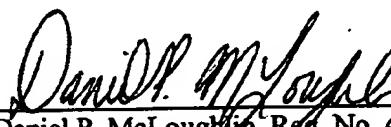
quoted language, Applicant points out that none of the independent claims include all of the limitations included in the above quoted language. For example, none of the allowed claims includes the limitation "a first button and a second button of the (sic) being pressed contemporaneously," nor the limitation that "the first button is *selected* to represents (sic) the first pre-recorded animal sound and the second button is *selected* to represents (sic) the second pre-recorded animal sound." (emphasis added) Further, the above-quoted language appears to suggest that the pre-recorded animal sounds are distinct sounds made by a single species of animal, which is a limitation not found in any of the independent claims. These examples are merely illustrative, as additional limitations in the above-quoted language may be absent from one or more of the independent claims.

In view of the foregoing, the allowed claims are not limited in any manner by the language quoted in the Statement of Reasons for Allowance, and each of the independent claims is allowable based solely upon the combination of limitations recited in the claim.

If there are any questions concerning the foregoing, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,
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